

**CITY PROPOSAL #12- VACATION AND PERSONAL LEAVE- CLARIFICATION OF LANGUAGE**

**ARTICLE 17 VACATIONS AND PERSONAL LEAVE**

17.1 Each eligible full-time employee shall be granted vacation leave with pay in accordance with the following:

17.1.1 ~~Full-time employees shall accrue vacation leave for paid hours in the amount specified below for each cycle of 26 full biweekly pay periods immediately preceding December 31st, or portion thereof, in each year of employment as specified: An employee shall accrue vacation leave at a rate specified below for each hour worked in each year of employment as specified:~~

<u>Years of Service</u>	<u>Accrual Rate</u> <u>per paid hour</u>	<u>Annual Hours of Vacation earned</u> <u>if employee has 2080 paid hours</u>
First 5 years	0.03875	80 hours
6th - 10th year	0.05875	120 hours
11th and 12th year	0.06625	136 hours
13th and 14th year	0.07375	152 hours
15th year or more	0.08125	168 hours

17.1.2 Carry-Over of Vacation LeaveVacation Accrual Limits

~~An employee may carry over to the next subsequent cycle of 26 biweekly pay periods, not more than 200 hours of unused vacation leave, together with any earned vacation leave which he/she is prevented from using in the former cycle, during which it is accrued, because of service-connected disability. An employee carrying over greater than the maximum allowable vacation hours (200 hours) shall have the excess amount deducted from the following year's accrual. This carryover process shall expire at the end of the 2008 payroll calendar year.~~

~~Effective the first pay period of payroll calendar year 2009, e~~Employees shall not be allowed to accrue vacation in excess of two times their annual vacation accrual rate. Once the maximum accumulation has occurred, vacation will cease to accrue until the employee's vacation balance has fallen under their maximum vacation accrual amount.

~~Effective the first pay period of payroll calendar year 2009, any employee who is already above two times their annual vacation accrual rate, will cease from accruing vacation until they have used enough vacation to bring them below their maximum accrual amount.~~

17.1.3 Reimbursement for Unearned Vacation Leave

~~If the employment of any full-time employee should cease and if he/she should have taken more vacation leave than he/she had accrued at the time of termination of his/her employment, there shall be deducted from his/her final pay, or he/she shall refund to the City such pay as he/she shall have received for vacation leave theretofore taken by him/her. The provisions of this Subsection 17.1.2 shall not apply to any full-time employee whose employment by the City is terminated by reason of his/her death, or his/her entry into active~~

~~duty with any of the Armed Forces of the United States that is reasonably likely to exceed one (1) year in duration. This Section, Section 17.1.3, shall not be in effect after the last pay period of payroll calendar year 2008.~~

17.1.4 Payment for Unused Accrued Vacation Leave upon Termination of Employment

If the employment by the City of any full-time employee should cease, he/she shall be given, at the time of such termination, full pay for vacation leave which he/she may then have accrued and not used.

17.2 Vacation Pay

~~If, in the judgment of the City Manager it is desirable by reason of a shortage of staffing or increased volume of work, to permit any full-time employee to work for the City during the time ordinarily allocated to such employee for vacation purposes, he/she may authorize such work. An employee who elects to perform such additional work shall be entitled to receive, as additional compensation for such work, an amount of money equal to his/her regular pay for such hours of work if such were not rendered during vacation leave, or, in lieu thereof, he/she may elect, in writing, filed with the Office of Employee Relations, to carry over such leave to the subsequent cycle of 26 biweekly pay periods.~~

17.3 Vacation Leave

Any and all leaves granted pursuant to this Article shall be granted at such time or times as will not reduce the number of employees below that which is reasonably necessary for the efficient conduct of the public business of such Department, except no employee who is authorized to take a leave for vacation purposes shall be required to commence such leave at a time other than the beginning of a workweek, unless he/she elects or consents to commence such leave at another and different time. Subject to the above provisions, preference of vacation leave timing in any calendar year shall be given in order of seniority. For purposes of this section "seniority" shall be determined by the relative length of time served by each employee in the classification in which he/she is employed in a Department of the City government, and by the length of time during which such employee has worked on any shift, if more than one shift is worked by employees in such classification.

17.4 Computation of Vacation Leave

17.4.1 For purposes of this Article, paid leave of absence from duty by reason of sick leave, holiday leave, vacation leave, disability leave, compensatory time-off, personal leave, or any other paid leave, shall be deemed to be "time worked."

17.4.2 Prior periods of employment shall be credited to the employee for purposes of determining vacation eligibility provided that during each such prior employment period, the employee achieved permanent status.

17.5 Personal Leave

Effective the first pay period of each payroll year, each full time employee shall be entitled to a maximum of sixteen (16) hours of Personal Leave. ~~Effective the first pay period of payroll calendar year 2009, each full-time employee shall be entitled to a total of twenty-four (24) hours per payroll calendar year. Such leave may be scheduled in fifteen minute increments, at any time, subject to approval of the supervisor. Personal Leave is not accrued. Any such leave not taken by the date of termination for employees terminating during the year, or by the end of the last pay period in the~~

calendar year for other employees, shall not be paid out nor carried over to subsequent years. Under no circumstances, such as promotion, transfer, and/or rehire, shall an employee receive more than 46 24 hours of Personal Leave in any given calendar year ~~(24 hours effective the first pay period of payroll calendar 2009).~~

- 17.5.1 ~~Employees hired on or after July 1 shall be entitled to only eight (8) hours of personal leave in the first payroll calendar year of employment. Effective the first pay period of payroll calendar year 2009, f~~Full time employees hired on or after July 1 of each payroll calendar year shall be entitled to only twelve (12) hours in the payroll calendar year in which they were hired.